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IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :  
JASON C. PELLY, ET AL. : EXAMINER: HOANG, D. L.  
SERIAL NO: 10/728,539 :  
FILED: DECEMBER 5, 2003 : GROUP ART UNIT: 2436  
FOR: DATA PROCESSING APPARATUS :  
AND METHOD

**REQUEST FOR RECONSIDERATION UNDER 37 C.F.R. § 1.116**

COMMISSIONER FOR PATENTS  
ALEXANDRIA, VIRGINIA 22313

SIR:

In response to the Office Action dated January 26, 2009, favorable reconsideration of the above-identified patent application is respectfully requested in light of the following comments:

**Remarks** begin on page 2 of this paper.